

United States District CourtFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

for the

May 07, 2021**Eastern District of Washington**

SEAN F. MCAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Charles Leo Costner

Case Number: 0980 2:20CR00157-TOR-1

Address of Offender: 606 East Indiana APT #5, Spokane, Washington 99205

Name of Sentencing Judicial Officer: The Honorable B. Lynn Winmill, U.S. District Judge

Name of Supervising Judicial Officer: The Honorable Thomas O. Rice, U.S. District Judge

Date of Original Sentence: January 25, 2008

Original Offense: Unlawful Possession of a Firearm, 18 U.S.C. § 922(g)1

Original Sentence: Prison - 120 months
TSR - 36 months

Type of Supervision: Supervised Release

Revocation Sentence: Prison- 8 months
(August 12, 2019) TSR- 28 months

Asst. U.S. Attorney: U.S. Attorney's Office

Date Supervision Commenced: January 8, 2020

Defense Attorney: Federal Defender's Office

Date Supervision Expires: May 7, 2022

PETITIONING THE COURT

To incorporate the violation contained in this petition in future proceedings with the violations previously reported to the Court on 04/28/2021.

The probation officer believes that the offender has violated the following conditions of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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Mandatory Condition #3: You shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release on supervision and to a maximum of 5 periodic drug tests a month thereafter for the term of supervision as directed by the probation officer. The cost to be paid by both the defendant and the government based upon the defendant's ability to pay.

Supporting Evidence: Mr. Costner allegedly violated mandatory condition number 3 by supplying a urine sample that tested positive for methamphetamine on May 3, 2021.

On January 9, 2020, Mr. Costner was given a copy of his judgment and his conditions of supervision were explained to him. He indicated he fully understood his conditions and the expectations of supervision.

On May 3, 2021, Mr. Costner reported to Pioneer Human Services (PHS) and supplied a urine sample that tested positive for methamphetamine. On May 5, 2021, the undersigned officer spoke to Mr. Costner and he disclosed new drug use on May 1, 2021.

Prob12C

Re: Costner, Charles Leo

May 6, 2021

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The U.S. Probation Office respectfully recommends the Court to incorporate the violation contained in this petition in future proceedings with the violations previously reported to the Court.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 05/06/2021

s/Joshua D. Schull

Joshua D. Schull

U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☒ Defendant to appear before the Magistrate Judge.
- ☐ Other



Thomas O. Rice

United States District Judge

May 7, 2021

Date